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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 KAL-MOR-USA, LLC,

Case No. 2:13-cv-00682-GMN-PAL

8 Plaintiff,

ORDER

9 v.

10 BANK OF AMERICA, N.A., et al.,

11 Defendants.

12 The court conducted a status and scheduling conference on June 25, 2015. Jason
13 Martinez appeared telephonically on behalf of Plaintiff. Melanie Morgan appeared on behalf of
14 Defendants. This case was stayed by the district judge while a question of law was certified to
15 the Nevada Supreme Court. On December 5, 2014 the Nevada Supreme Court entered an Order
16 Declining Certified Question (Dkt #28 & 29) finding its decision in SFR Investment Pool I, LLC
17 v U.S. Bank, N. A., 130 Nev. ___, 334 P 3d. 408 (2014) was controlling precedent on the issue.
18 Since then the parties have taken no action to bring this case to resolution.

19 At the hearing counsel for Plaintiff indicated a minimal amount of discovery was need.
20 Plaintiff intends to subpoena the records of the trustee's sale. Defendant intends to obtain the
21 HOA records and take Rule 30(b)(6) deposition of the trustee and the deposition of Plaintiff.
22 Defendant requested 180 days to complete discovery. This is a straight forward case involving
23 an HOA foreclosure on a superpriority lien. The Nevada Supreme Court resolved the legal issue
24 of whether the superpriority lien has true priority over a first security interest more than 6 months
25 ago. Very little discovery is needed to prepare this case for judgment. The court will give the
26 parties 60 days to complete discovery.

27 Accordingly,

